THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.24375 of 2005

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DATED: 23-01-2006

Between:

C.Malreddy and another . . .Petitioners

And

State of AP and others . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

–

WRIT PETITION No.24375 of 2005

O R D E R:

The petitioners are working as Physical Education Teachers in different schools in Chittoor District. They intended to pursue the course of Bachelor of Physical Education (B.P.Ed.). According to the rules, the Government issued the admission to that course is on the basis of ranks, obtained in the common entrance examination. However, the Government issued G.O.Rt.No.736, dated 21.08.2004, exempting the in-service teachers from appearing in the entrance examination. The petitioners state that the Director of School Education, Andhra Pradesh, Hyderabad, the second respondent herein, allotted them to the Rayalaseema College of Physical Education, Rayavaram, Prodduturu, Kadapa District, the third respondent herein. The third respondent issued proceedings, dated 30-09-2005, refusing to admit the petitioners on the ground that they do not hold the requisite qualifications. The same is challenged in this writ petition.

Sri N.Satyanarayana, learned counsel for the petitioners, submits that the petitioners have obtained Post Graduation Degrees from Kamaraj University of Tamilnadu State and thereby, they fulfilled the requisite qualifications. He contends that the impugned proceedings cannot be sustained in law.

Learned Government Pleader for School Education submits that the educational qualification prescribed under the relevant rules, is pass in three year Bachelor Degree Examination and admittedly, the petitioners do not hold such a qualification.

The only controversy in this writ petition is as to whether the petitioners hold the requisite qualifications, to be admitted into B.P.Ed. Course. The relevant rules were issued in G.O.Ms.No.94, School Education (Training-2) Department,

dated 19-07-2005. The said G.O. prescribes the following qualifications for admission into the course.

> *<u>Educational Qualifications:-</u> Candidates should have passed the three year Bachelor Degree examination in any faculty (10 plus 2 plus 3pattern) or any examination recognized as equivalent there to be the Universities in Andhra Pradesh.*

The petitioners passed their SSC and Intermediate examinations and have undergone training of physical education. However, they did not pass the three year Bachelor Degree examination. The fact that the petitioners have obtained P.G. Degree through correspondence course does not enable them to get admitted into B.P.Ed. Course. Apart from clearly stipulating that the candidate must have passed three year Bachelor Degree examination, the rules further indicate that it must have been in the pattern of 10+2+3. The petitioners do not satisfy the same. In that view of the matter, no exception can be taken to the impugned order issued by the third respondent.

The writ petition is accordingly, dismissed. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

23rd JANUARY, 2006.

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